

Application ref: 2025/0556/P
Contact: Edward Hodgson
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Date: 17 April 2025

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
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Brian O'Reilly Architects
31 Oval Road
Camden
NW1 7EA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
7 Provost Road
London
NW3 4ST

Proposal:
Variation of Condition 2 (Approved Plans) of planning permission ref 2023/2840/P dated 30/11/2023 (for: Erection of single storey rear extension, replacement side conservatory, new door, enlargement of dormers, redecoration of facades, new front steps, new front boundary railings and alterations to front lightwell. Removal of partitions and doors at lower ground and second floors, and new doors and bathroom at ground and first floor) Namely, changes to fenestration on rear extension, height of side conservatory, retention of rear window, and extension of front railings

Drawing Nos:
SUPERSEDED:
556-101-P REV A, 556-200-P REV A, 556-201-P REV A
PROPOSED:
556-101-P REV B, 556-200-P REV B, 556-201-P REV B

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of

three years from the date of the original planning permission ref 2023/2840/P dated 30/11/2023.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 For the purposes of this decision, condition no.2 of planning permission 2023/2840/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan, 556-100-E, 556-102-E, 556-101-E, 556-200-E, 556-103-E, 556-300-E, 556-201-E, 556-101-P REV B, 556-102-P REV A, 556-103-P REV A, 556-200-P REV B, 556-201-P REV B, 556-300-P REV A

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of the rear extension , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting consent:

This minor material amendment application seeks to make various changes to the permission approved under ref. 2023/2840/P dated 30/11/2023. The site is Grade II listed and located within the Eton Conservation Area. An associated

Listed Building Consent application has been submitted under ref. 2025/0777/L.

To the front, the changes would involve extending the approved railings along the front boundary wall, which would match the appearance of the approved railings and would be in keeping with the appearance of railings found along the street. The height of the approved side conservatory would also increase however, the structure would remain set back from the front elevation and would still maintain subservience to the host property.

To the rear elevation, the fenestration on the approved extension at lower ground floor would be altered and would incorporate slightly more glazing however the footprint of the extension would remain as approved. The layout of the green roof and rooflight on the extension would also be altered however the changes would be minimal. An existing window would be retained, in place of new doors which were previously approved, and the retention of the window is welcomed. Although the height of the side conservatory extension would be increased, this change would not significantly impact on the appearance of the rear elevation. The side conservatory would consist of a mono-pitched roof and the height, when measured to the roof ridge, would be increased from 2.5m as approved to 2.7m which, in the context of the host property, is a minor alteration that would not detract from the appearance of the property.

The proposal is considered to preserve the character and appearance of the conservation area and listed building. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the special interest of the listed building.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers given the minor changes to the approved scheme. The increased height of the side conservatory extension would not worsen impacts on neighbouring properties in terms of loss of daylight, sunlight or sense of enclosure given the relatively modest change.

No objections have been received prior to making this decision. A comment was received from the Eton CAAC concerning the height of the side extension which has been responded to in an associated consultation summary report. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation

will be granted until the Construction Management Plan is approved by the Council.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because the planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original

(parent) planning permission was made or granted before 12 February 2024.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a “Biodiversity Gain Site”.
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer